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ATTORNEYS FOR PLAINTIFF AND THE PUTATIVE CLASS

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

SUZANNE WERDEN, individually
And on behalf of a class of similarly
situated individuals

Plaintiff,

v.

JOBFOX, INC., a Virginia corporation,

Defendant.

) Case No. 3:11-cv-02995-WQH-MDD

)

)

) **PLAINTIFF'S NOTICE OF VOLUNTARY**

) **DISMISSAL WITH PREJUDICE**

) **PURSUANT TO FEDERAL RULE OF**

) **CIVIL PROCEDURE 41(a)(1)**

)

) Hon. William Q. Hayes

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) Action Filed: December 22, 2011

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1 **PLEASE TAKE NOTICE** that Plaintiff SUZANNE WERDEN (“Plaintiff”), pursuant to
2 Federal Rule of Civil Procedure 41(a)(1), hereby voluntarily dismisses this case in its entirety
3 with prejudice as to Plaintiff’s individual claims, and without prejudice as to the claims of the
4 putative class members.

5 Federal Rule of Civil Procedure 41(a)(1) provides, in relevant part:

6 **(a) Voluntary Dismissal**

7 **(1) *By the Plaintiff***

8 **(A) *Without a Court Order.*** Subject to Rules 23(e), 23.1(c), 23.2, and 66
9 and any applicable federal statute, the plaintiff may dismiss an action
10 without a court order by filing:

11 **(i)** a notice of dismissal before the opposing party serves either an
12 answer or a motion for summary judgment

13 * * *

14 Defendant has neither answered Plaintiff’s Complaint, nor filed a motion for summary
15 judgment. Accordingly, this matter may be dismissed without an Order of the Court.

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18 Dated: May 4, 2012

EDELSON MCGUIRE LLP

19 By: /s/ Sean P. Reis
20 Sean P. Reis
21 One of Plaintiff’s Attorneys
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CERTIFICATE OF SERVICE

I, Sean P. Reis, an attorney, certify that on May 4, 2012, I served the above and foregoing ***Plaintiff's Notice of Voluntary Dismissal With Prejudice Pursuant to Federal Rule of Civil Procedure 41(a)(1)***, by causing true and accurate copies of such paper to be filed and transmitted to the persons shown below via the Court's CM/ECF electronic filing system, on this 4th day of May, 2012.

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/s/ Sean P. Reis

Sean P. Reis